

**McCABE, WEISBERG & CONWAY, P.C.**

**By: Andrew M. Lubin., Esquire (Atty. I.D.# AL0814)**

**216 Haddon Avenue, Suite 201**

**Westmont, NJ 08108**

**856-858-7080**

**Attorneys for Secured Creditor: First Federal Bank**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE:

Carlos A Madero  
Debtors

Case No.: 23-14849-RG

Chapter: 13

Hearing Date: September 20, 2023

Time: 8:30 a.m.

Judge: Rosemary Gambardella

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

LoanCare, LLC, by its counsel, Andrew M. Lubin, Esquire, of McCabe, Weisberg & Conway, LLC, states the following grounds as an Objection to Confirmation of Debtor's Chapter 13 Plan:

1. I am an attorney at law of the State of New Jersey, and an associate with McCabe, Weisberg & Conway, LLC, attorneys for First Federal Bank, (hereinafter "Secured Creditor"), a secured creditor in the above referenced bankruptcy proceeding.

2. Secured Creditor holds a mortgage lien on real property owned by the Debtors and located at 29 Lowe Avenue, Fair Lawn, New Jersey 07410.

3. The Debtors filed a Chapter 13 Bankruptcy Petition on June 4, 2023.

4. Secured Creditor has not yet filed its Proof of Claim in this matter but anticipates doing so prior to the claims' deadline of August 14, 2023. As such Secured Creditor, reserves the right to supplement this objection.

5. As will be more fully set forth in the Proof of Claim in this matter, as of the date of the filing of the instant Chapter 13 petition, total arrears due to Secured Creditor through the Plan at this time are anticipated to be \$6,145.10.

6. Secured Creditor objects to confirmation as Debtor's Chapter 13 Plan does not propose a treatment of Secured Creditor's pre-petition arrears.

7. Secured Creditor respectfully requests that the Court deny confirmation of Debtor's Chapter 13 Plan, for the reasons hereinbefore stated.

Date: August 3, 2023

McCABE, WEISBERG & CONWAY, LLC

/s/ Andrew M. Lubin  
Andrew M. Lubin, Esquire

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

**McCABE, WEISBERG & CONWAY, LLC**  
**By: Andrew M. Lubin, Esq. (Atty.**  
**I.D.#AL0814)**  
**216 Haddon Avenue, Suite 201**  
**Westmont, NJ 08108**  
**856-858-7080**  
**Attorneys for Secured Creditor: First Federal**  
**Bank**

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### CERTIFICATION OF SERVICE

1. I, Alice Ray:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Andrew M. Lubin, Esq., who represents the Secured Creditor in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On August 3, 2023, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Objection to Confirmation of Chapter 13 Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: August 3, 2023

/s/ Alice Ray  
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Carlos A Madero 29 Lowe Avenue Fair Lawn, NJ 07410	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Joseph J Mania, III Law Office of Joseph J. Mania III 203 Main St., Suite A234 Flemington, NJ 08822	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Road, Suite 330 Fairfield, NJ 07004-1550	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, New Jersey 07102	US Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.